

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SAS INSTITUTE INC.,

Plaintiff,

v.

WORLD PROGRAMMING LIMITED,
MINEQUEST BUSINESS ANALYTICS
LLC, MINEQUEST LLC, ANGOSS
SOFTWARE CORPORATION,
LUMINEX SOFTWARE, INC., YUM!
BRANDS, INC., PIZZA HUT, INC.,
SHAW INDUSTRIES GROUP, INC., and
HITACHI VANTARA CORPORATION,

Defendants.

CIVIL ACTION NO. 2:18-CV-00295-JRG

JURY TRIAL DEMANDED

DEFENDANT SHAW INDUSTRIES GROUP, INC.'S ANSWER AND
AFFIRMATIVE DEFENSES IN RESPONSE
TO PLAINTIFF SAS INSTITUTE, INC.'S COMPLAINT

Defendant Shaw Industries Group, Inc. ("Shaw") files this, its Answer and Affirmative Defenses to Plaintiff SAS Institute, Inc.'s ("Plaintiff" or "SAS") Complaint (Dkt. No. 1). Shaw denies the allegations and characterizations in SAS's Complaint unless expressly admitted in the following numbered Paragraphs, which correspond to the numbered Paragraphs in the Complaint.

NATURE OF THE ACTION

1. Shaw admits that the Complaint purports to recite causes of actions for alleged copyright infringement and willful infringement. Shaw denies infringement and the legal sufficiency of SAS's claim and allegations in support thereof. To the extent not expressly admitted, Shaw denies the remaining allegations of Paragraph 1 of the Complaint.

2. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 2, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2 of the Complaint, and therefore, denies all such allegations.

3. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 3, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 of the Complaint, and therefore, denies all such allegations.

4. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 4, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 of the Complaint, and therefore, denies all such allegations.

5. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 5, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 5 of the Complaint, and therefore, denies all such allegations.

6. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 6, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 6 of the Complaint, and therefore, denies all such allegations.

PARTIES

7. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 7, which are not asserted against Shaw. Otherwise, Shaw

is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7 of the Complaint, and therefore, denies all such allegations.

8. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 8, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 8 of the Complaint, and therefore, denies all such allegations.

9. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 9, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 9 of the Complaint, and therefore, denies all such allegations.

10. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 10, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 10 of the Complaint, and therefore, denies all such allegations.

11. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 11, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 11 of the Complaint, and therefore, denies all such allegations.

12. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 12, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 12 of the Complaint, and therefore, denies all such allegations.

13. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 13, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 13 of the Complaint, and therefore, denies all such allegations.

14. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 14, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 14 of the Complaint, and therefore, denies all such allegations.

15. Shaw admits that its principal place of business is located at 616 East Walnut Avenue, Dalton, GA 30721, and that Shaw has transacted business in the State of Texas and in the judicial district of the Eastern District of Texas. To the extent not expressly admitted, Shaw denies the remaining allegations of Paragraph 15.

16. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 16, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 16 of the Complaint, and therefore, denies all such allegations.

JURISDICTION, VENUE, AND JOINDER

17. Shaw admits that this action purports to arise under the Copyright Laws of the United States, Title 17 of the United States Code, and the Patent Laws of the United States, Title 35 of the United States Code. To the extent not expressly admitted, Shaw is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 17 of the Complaint, and therefore, denies all such allegations.

18. Shaw admits that it is subject to personal jurisdiction in Texas. To the extent not expressly admitted, Shaw is without knowledge or information sufficient to form a belief as to

the truth of the remaining allegations of Paragraph 18 of the Complaint, and therefore, denies all such allegations.

19. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 19, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 19 of the Complaint, and therefore, denies all such allegations.

20. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 20, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 20 of the Complaint, and therefore, denies all such allegations.

21. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 21, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 21 of the Complaint, and therefore, denies all such allegations.

22. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 22, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 22 of the Complaint, and therefore, denies all such allegations.

23. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 23, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 23 of the Complaint, and therefore, denies all such allegations.

24. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 24, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 24 of the Complaint, and therefore, denies all such allegations.

25. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 25, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 25 of the Complaint, and therefore, denies all such allegations.

26. Shaw admits that venue would lie in the Eastern District of Texas pursuant to 28 U.S.C. § 1400(a). To the extent not expressly admitted, Shaw denies the remaining allegations Paragraph 26 of the Complaint.

27. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 27, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 27 of the Complaint, and therefore, denies all such allegations.

28. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 28, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 28 of the Complaint, and therefore, denies all such allegations.

SAS AND THE SAS SYSTEM

29. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 29 of the Complaint, and therefore, denies all such allegations.

30. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 30 of the Complaint, and therefore, denies all such allegations.

31. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 31 of the Complaint, and therefore, denies all such allegations.

32. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 32 of the Complaint, and therefore, denies all such allegations.

33. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 33 of the Complaint, and therefore, denies all such allegations.

34. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 34 of the Complaint, and therefore, denies all such allegations.

35. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 35 of the Complaint, and therefore, denies all such allegations.

36. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 36 of the Complaint, and therefore, denies all such allegations.

37. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 37 of the Complaint, and therefore, denies all such allegations.

38. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 38 of the Complaint, and therefore, denies all such allegations.

39. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 39 of the Complaint, and therefore, denies all such allegations.

40. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 40 of the Complaint, and therefore, denies all such allegations.

WPL AND THE WORLD PROGRAMMING SYSTEM

41. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 41, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 41 of the Complaint, and therefore, denies all such allegations.

42. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 42, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 42 of the Complaint, and therefore, denies all such allegations.

43. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 43, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 43 of the Complaint, and therefore, denies all such allegations.

44. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 44, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 44 of the Complaint, and therefore, denies all such allegations.

45. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 45, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 45 of the Complaint, and therefore, denies all such allegations.

THE SAS/WPL NORTH CAROLINA LITIGATION

46. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 46, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 46 of the Complaint, and therefore, denies all such allegations.

47. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 47, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 47 of the Complaint, and therefore, denies all such allegations.

48. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 48, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 48 of the Complaint, and therefore, denies all such allegations.

49. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 49, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 49 of the Complaint, and therefore, denies all such allegations.

50. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 50, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 50 of the Complaint, and therefore, denies all such allegations.

51. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 51, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 51 of the Complaint, and therefore, denies all such allegations.

52. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 52, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 52 of the Complaint, and therefore, denies all such allegations.

53. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 53, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 53 of the Complaint, and therefore, denies all such allegations.

54. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 54, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 54 of the Complaint, and therefore, denies all such allegations.

55. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 55, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 55 of the Complaint, and therefore, denies all such allegations.

56. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 56, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 56 of the Complaint, and therefore, denies all such allegations.

57. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 57, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 57 of the Complaint, and therefore, denies all such allegations.

58. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 58, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 58 of the Complaint, and therefore, denies all such allegations.

59. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 59, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 59 of the Complaint, and therefore, denies all such allegations.

60. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 60, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 60 of the Complaint, and therefore, denies all such allegations.

WPL'S CUSTOMERS AND RESELLERS

61. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 61, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 61 of the Complaint, and therefore, denies all such allegations.

62. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 62, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 62 of the Complaint, and therefore, denies all such allegations.

63. As to Shaw, denied. Shaw is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 63 of the Complaint, and therefore, denies all such allegations.

64. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 64, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 64 of the Complaint, and therefore, denies all such allegations.

65. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 65, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 65 of the Complaint, and therefore, denies all such allegations.

66. As to Shaw, denied. Shaw is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 66 of the Complaint, and therefore, denies all such allegations.

67. As to Shaw, denied. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 67 of the Complaint, and therefore, denies all such allegations.

68. Shaw states it has made a request for indemnity to World Programming Limited (“WPL”) pursuant to the terms of the License Agreement for WPS Software. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 68 of the Complaint, and therefore, denies all such allegations.

69. As to Shaw, denied. Shaw is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 69 of the Complaint, and therefore, denies all such allegations.

70. As to Shaw, denied. Shaw is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 70 of the Complaint, and therefore, denies all such allegations.

71. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 71, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 71 of the Complaint, and therefore, denies all such allegations.

**DEFENDANT'S ALLEGED INFRINGEMENT OF THE COPYRIGHTS IN THE
SAS SYSTEM AND THE SAS MANUALS**

72. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 72 of the Complaint, and therefore, denies all such allegations.

73. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 73 of the Complaint, and therefore, denies all such allegations.

74. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 74 of the Complaint, and therefore, denies all such allegations.

75. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 75 of the Complaint, and therefore, denies all such allegations.

76. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 76 of the Complaint, and therefore, denies all such allegations.

77. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 77 of the Complaint, and therefore, denies all such allegations.

78. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 78 of the Complaint, and therefore, denies all such allegations.

79. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 79 of the Complaint, and therefore, denies all such allegations.

80. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 80, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 80 of the Complaint, and therefore, denies all such allegations.

81. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 81 of the Complaint, and therefore, denies all such allegations.

82. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 82, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 82 of the Complaint, and therefore, denies all such allegations.

83. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 83 of the Complaint, and therefore, denies all such allegations.

84. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 84, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 84 of the Complaint, and therefore, denies all such allegations.

85. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 85 of the Complaint, and therefore, denies all such allegations.

86. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 86, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 86 of the Complaint, and therefore, denies all such allegations.

87. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 87 of the Complaint, and therefore, denies all such allegations.

88. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 88, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 88 of the Complaint, and therefore, denies all such allegations.

89. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 89 of the Complaint, and therefore, denies all such allegations.

90. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 90, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 90 of the Complaint, and therefore, denies all such allegations.

91. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 91, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 91 of the Complaint, and therefore, denies all such allegations.

92. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 92, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 92 of the Complaint, and therefore, denies all such allegations.

93. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 93 of the Complaint, and therefore, denies all such allegations.

94. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 94 of the Complaint, and therefore, denies all such allegations.

95. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 95, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 95 of the Complaint, and therefore, denies all such allegations.

96. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 96, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 96 of the Complaint, and therefore, denies all such allegations.

97. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 97, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 97 of the Complaint, and therefore, denies all such allegations.

98. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 98, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 98 of the Complaint, and therefore, denies all such allegations.

99. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 99, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 99 of the Complaint, and therefore, denies all such allegations.

100. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 100, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 100 of the Complaint, and therefore, denies all such allegations.

101. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 101, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 101 of the Complaint, and therefore, denies all such allegations.

102. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 102, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 102 of the Complaint, and therefore, denies all such allegations.

103. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 103, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 103 of the Complaint, and therefore, denies all such allegations.

104. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 104, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 104 of the Complaint, and therefore, denies all such allegations.

105. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 105, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 105 of the Complaint, and therefore, denies all such allegations.

106. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 106, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 106 of the Complaint, and therefore, denies all such allegations.

107. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 107, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 107 of the Complaint, and therefore, denies all such allegations.

108. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 108, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 108 of the Complaint, and therefore, denies all such allegations.

109. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 109, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 109 of the Complaint, and therefore, denies all such allegations.

110. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 110, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 110 of the Complaint, and therefore, denies all such allegations.

111. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 111, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 111 of the Complaint, and therefore, denies all such allegations.

112. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 112, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 112 of the Complaint, and therefore, denies all such allegations.

113. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 113, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 113 of the Complaint, and therefore, denies all such allegations.

114. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 114 of the Complaint, and therefore, denies all such allegations.

115. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 115 of the Complaint, and therefore, denies all such allegations.

116. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 116 of the Complaint, and therefore, denies all such allegations.

117. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 117 of the Complaint, and therefore, denies all such allegations.

118. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 118 of the Complaint, and therefore, denies all such allegations.

119. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 119 of the Complaint, and therefore, denies all such allegations.

120. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 120 of the Complaint, and therefore, denies all such allegations.

121. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 121 of the Complaint, and therefore, denies all such allegations.

122. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 122 of the Complaint, and therefore, denies all such allegations.

123. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 123 of the Complaint, and therefore, denies all such allegations.

124. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 124 of the Complaint, and therefore, denies all such allegations.

125. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 125 of the Complaint, and therefore, denies all such allegations.

126. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 126 of the Complaint, and therefore, denies all such allegations.

127. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 127, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 127 of the Complaint, and therefore, denies all such allegations.

128. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 128, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 128 of the Complaint, and therefore, denies all such allegations.

129. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 129, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 129 of the Complaint, and therefore, denies all such allegations.

130. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 130 of the Complaint, and therefore, denies all such allegations.

131. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 131 of the Complaint, and therefore, denies all such allegations.

132. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 132 of the Complaint, and therefore, denies all such allegations.

133. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 133 of the Complaint, and therefore, denies all such allegations.

134. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 134 of the Complaint, and therefore, denies all such allegations.

135. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 135 of the Complaint, and therefore, denies all such allegations.

136. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 136 of the Complaint, and therefore, denies all such allegations.

137. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 137 of the Complaint, and therefore, denies all such allegations.

138. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 138 of the Complaint, and therefore, denies all such allegations.

139. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 139 of the Complaint, and therefore, denies all such allegations.

140. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 140 of the Complaint, and therefore, denies all such allegations.

141. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 141 of the Complaint, and therefore, denies all such allegations.

142. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 142 of the Complaint, and therefore, denies all such allegations.

143. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 143 of the Complaint, and therefore, denies all such allegations.

144. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 144 of the Complaint, and therefore, denies all such allegations.

145. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 145 of the Complaint, and therefore, denies all such allegations.

146. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 146 of the Complaint, and therefore, denies all such allegations.

147. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 147 of the Complaint, and therefore, denies all such allegations.

148. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 148 of the Complaint, and therefore, denies all such allegations.

149. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 149 of the Complaint, and therefore, denies all such allegations.

150. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 150 of the Complaint, and therefore, denies all such allegations.

151. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 151 of the Complaint, and therefore, denies all such allegations.

152. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 152 of the Complaint, and therefore, denies all such allegations.

153. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 153 of the Complaint, and therefore, denies all such allegations.

154. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 154 of the Complaint, and therefore, denies all such allegations.

PATENTS-IN-SUIT

155. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 155, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 155 of the Complaint, and therefore, denies all such allegations.

156. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 156, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 156 of the Complaint, and therefore, denies all such allegations.

157. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 157, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 157 of the Complaint, and therefore, denies all such allegations.

158. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 158, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 158 of the Complaint, and therefore, denies all such allegations.

159. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 159, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 159 of the Complaint, and therefore, denies all such allegations.

160. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 160, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 160 of the Complaint, and therefore, denies all such allegations.

161. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 161, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 161 of the Complaint, and therefore, denies all such allegations.

THE INVENTIONS CLAIMED IN THE PATENTS-IN-SUIT ARE NOT WELL-UNDERSTOOD, ROUTINE, OR CONVENTIONAL

162. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 162, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 162 of the Complaint, and therefore, denies all such allegations.

163. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 163, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 163 of the Complaint, and therefore, denies all such allegations.

164. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 164, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 164 of the Complaint, and therefore, denies all such allegations.

165. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 165, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 165 of the Complaint, and therefore, denies all such allegations.

166. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 166, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 166 of the Complaint, and therefore, denies all such allegations.

167. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 167, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 167 of the Complaint, and therefore, denies all such allegations.

The '686 Patent

168. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 168, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 168 of the Complaint, and therefore, denies all such allegations.

169. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 169, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 169 of the Complaint, and therefore, denies all such allegations.

170. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 170, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 170 of the Complaint, and therefore, denies all such allegations.

171. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 171, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 171 of the Complaint, and therefore, denies all such allegations.

172. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 172, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 172 of the Complaint, and therefore, denies all such allegations.

173. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 173, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 173 of the Complaint, and therefore, denies all such allegations.

174. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 174, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 174 of the Complaint, and therefore, denies all such allegations.

The '996

175. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 175, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 175 of the Complaint, and therefore, denies all such allegations.

176. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 176, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 176 of the Complaint, and therefore, denies all such allegations.

177. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 177, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 177 of the Complaint, and therefore, denies all such allegations.

178. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 178, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 178 of the Complaint, and therefore, denies all such allegations.

179. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 179, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 179 of the Complaint, and therefore, denies all such allegations.

180. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 180, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 180 of the Complaint, and therefore, denies all such allegations.

181. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 181, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 181 of the Complaint, and therefore, denies all such allegations.

182. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 182, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 182 of the Complaint, and therefore, denies all such allegations.

183. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 183, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 183 of the Complaint, and therefore, denies all such allegations.

**WPS'S PRE-SUIT KNOWLEDGE OF THE PATENTS-IN-SUIT
AND THE COPYING GO SAS'S INVENTIONS**

184. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 184, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 184 of the Complaint, and therefore, denies all such allegations.

185. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 185, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 185 of the Complaint, and therefore, denies all such allegations.

186. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 186, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 186 of the Complaint, and therefore, denies all such allegations.

187. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 187, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 187 of the Complaint, and therefore, denies all such allegations.

188. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 188, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 188 of the Complaint, and therefore, denies all such allegations.

189. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 189, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 189 of the Complaint, and therefore, denies all such allegations.

190. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 190, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 190 of the Complaint, and therefore, denies all such allegations.

191. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 191, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 191 of the Complaint, and therefore, denies all such allegations.

192. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 192, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 192 of the Complaint, and therefore, denies all such allegations.

193. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 193, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 193 of the Complaint, and therefore, denies all such allegations.

194. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 194, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 194 of the Complaint, and therefore, denies all such allegations.

INFRINGEMENT OF THE '519 PATENT

195. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 195, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 195 of the Complaint, and therefore, denies all such allegations.

196. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 196, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 196 of the Complaint, and therefore, denies all such allegations.

197. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 197, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 197 of the Complaint, and therefore, denies all such allegations.

198. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 198, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 198 of the Complaint, and therefore, denies all such allegations.

199. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 199, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 199 of the Complaint, and therefore, denies all such allegations.

200. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 200, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 200 of the Complaint, and therefore, denies all such allegations.

201. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 201, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 201 of the Complaint, and therefore, denies all such allegations.

202. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 202, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 202 of the Complaint, and therefore, denies all such allegations.

203. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 203, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 203 of the Complaint, and therefore, denies all such allegations.

204. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 204, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 204 of the Complaint, and therefore, denies all such allegations.

205. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 205, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 205 of the Complaint, and therefore, denies all such allegations.

206. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 206, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 206 of the Complaint, and therefore, denies all such allegations.

207. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 207, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 207 of the Complaint, and therefore, denies all such allegations.

208. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 208, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 208 of the Complaint, and therefore, denies all such allegations.

209. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 209, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 209 of the Complaint, and therefore, denies all such allegations.

210. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 210, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 210 of the Complaint, and therefore, denies all such allegations.

211. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 211, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 211 of the Complaint, and therefore, denies all such allegations.

212. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 212, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 212 of the Complaint, and therefore, denies all such allegations.

213. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 213, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 213 of the Complaint, and therefore, denies all such allegations.

214. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 214, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 214 of the Complaint, and therefore, denies all such allegations.

INFRINGEMENT OF THE '686 PATENT

215. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 215, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 215 of the Complaint, and therefore, denies all such allegations.

216. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 216, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 216 of the Complaint, and therefore, denies all such allegations.

217. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 217, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 217 of the Complaint, and therefore, denies all such allegations.

218. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 218, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 218 of the Complaint, and therefore, denies all such allegations.

219. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 219, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 219 of the Complaint, and therefore, denies all such allegations.

220. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 220, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 220 of the Complaint, and therefore, denies all such allegations.

221. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 221, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 221 of the Complaint, and therefore, denies all such allegations.

222. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 222, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 222 of the Complaint, and therefore, denies all such allegations.

223. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 223, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 223 of the Complaint, and therefore, denies all such allegations.

224. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 224, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 224 of the Complaint, and therefore, denies all such allegations.

225. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 225, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 225 of the Complaint, and therefore, denies all such allegations.

226. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 226, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 226 of the Complaint, and therefore, denies all such allegations.

227. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 227, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 227 of the Complaint, and therefore, denies all such allegations.

228. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 228, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 228 of the Complaint, and therefore, denies all such allegations.

229. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 229, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 229 of the Complaint, and therefore, denies all such allegations.

230. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 230, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 230 of the Complaint, and therefore, denies all such allegations.

231. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 231, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 231 of the Complaint, and therefore, denies all such allegations.

INFRINGEMENT OF THE '996 PATENT

232. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 232, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 232 of the Complaint, and therefore, denies all such allegations.

233. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 233, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 233 of the Complaint, and therefore, denies all such allegations.

234. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 234, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 234 of the Complaint, and therefore, denies all such allegations.

235. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 235, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 235 of the Complaint, and therefore, denies all such allegations.

236. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 236, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 236 of the Complaint, and therefore, denies all such allegations.

237. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 237, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 237 of the Complaint, and therefore, denies all such allegations.

238. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 238, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 238 of the Complaint, and therefore, denies all such allegations.

239. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 239, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 239 of the Complaint, and therefore, denies all such allegations.

240. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 240, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 240 of the Complaint, and therefore, denies all such allegations.

241. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 241, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 241 of the Complaint, and therefore, denies all such allegations.

242. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 242, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 242 of the Complaint, and therefore, denies all such allegations.

243. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 243, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 243 of the Complaint, and therefore, denies all such allegations.

244. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 244, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 244 of the Complaint, and therefore, denies all such allegations.

245. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 245, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 245 of the Complaint, and therefore, denies all such allegations.

246. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 246, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 246 of the Complaint, and therefore, denies all such allegations.

247. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 247, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 247 of the Complaint, and therefore, denies all such allegations.

248. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 248, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 248 of the Complaint, and therefore, denies all such allegations.

249. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 249, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 249 of the Complaint, and therefore, denies all such allegations.

250. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 250, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 250 of the Complaint, and therefore, denies all such allegations.

251. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 251, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 251 of the Complaint, and therefore, denies all such allegations.

**FIRST CAUSE OF ACTION
DIRECT COPYRIGHT INFRINGEMENT OF THE SAS
SYSTEM AGAINST ALL DEFENDANTS UNDER 17 U.S.C. §101 *et seq.***

252. Shaw repeats and incorporates herein by reference each of its responses to the allegations set forth in Paragraphs 1-251 of the Complaint.

253. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 253 of the Complaint, and therefore, denies all such allegations.

254. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 254 of the Complaint, and therefore, denies all such allegations.

255. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 255 of the Complaint, and therefore, denies all such allegations.

256. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 256 of the Complaint, and therefore, denies all such allegations.

257. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 257 of the Complaint, and therefore, denies all such allegations.

258. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 258 of the Complaint, and therefore, denies all such allegations.

259. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 259 of the Complaint, and therefore, denies all such allegations.

260. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 260 of the Complaint, and therefore, denies all such allegations.

261. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 261 of the Complaint, and therefore, denies all such allegations.

**SECOND CAUSE OF ACTION
DIRECT COPYRIGHT INFRINGEMENT OF THE SAS MANUALS
AGAINST ALL DEFENDANTS 17 U.S.C. §101 et seq.**

262. Shaw repeats and incorporates herein by reference each of its responses to the allegations set forth in Paragraphs 1-261 of the Complaint.

263. Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 263 of the Complaint, and therefore, denies all such allegations.

264. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 264 of the Complaint, and therefore, denies all such allegations.

265. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 265 of the Complaint, and therefore, denies all such allegations.

266. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 266 of the Complaint, and therefore, denies all such allegations.

267. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 267 of the Complaint, and therefore, denies all such allegations.

268. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 268 of the Complaint, and therefore, denies all such allegations.

269. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 269 of the Complaint, and therefore, denies all such allegations.

270. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 270 of the Complaint, and therefore, denies all such allegations.

271. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 271 of the Complaint, and therefore, denies all such allegations.

**THIRD CAUSE OF ACTION
CONTRIBUTORY COPYRIGHT INFRINGEMENT OF THE SAS
SYSTEM AND THE SAS MANUALS AGAINST WPL, MINEQUEST,
ANGOSS, AND LUMINEX UNDER 17 U.S.C. §101 *et seq.***

272. Shaw repeats and incorporates herein by reference each of its responses to the allegations set forth in Paragraphs 1-271 of the Complaint.

273. Shaw denies any of the actions alleged in the Complaint constitute copyright infringement. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 273 of the Complaint, and therefore, denies all such allegations.

274. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 274, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 274 of the Complaint, and therefore, denies all such allegations.

275. Shaw denies any of the actions alleged in the Complaint constitute copyright infringement. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 275 of the Complaint, and therefore, denies all such allegations.

276. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 276, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 276 of the Complaint, and therefore, denies all such allegations.

277. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 277, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 277 of the Complaint, and therefore, denies all such allegations.

278. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 278, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 278 of the Complaint, and therefore, denies all such allegations.

279. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 279, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 279 of the Complaint, and therefore, denies all such allegations.

280. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 280, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 280 of the Complaint, and therefore, denies all such allegations.

281. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 281, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 281 of the Complaint, and therefore, denies all such allegations.

282. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 282, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 282 of the Complaint, and therefore, denies all such allegations.

**FOURTH CAUSE OF ACTION
VICARIOUS COPYRIGHT INFRINGEMENT OF THE SAS
SYSTEM AND SAS MANUALS AGAINST WPL, MINEQUIEST,
ANGOSS, AND LUMINEX UNDER 17 U.S.C. §101 *et seq.***

283. Shaw repeats and incorporates herein by reference each of its responses to the allegations set forth in Paragraphs 1-282 of the Complaint.

284. Shaw denies any of the actions alleged in the Complaint constitute copyright infringement. To the extent not expressly admitted, Shaw denies the remainder of the allegations of Paragraph 284.

285. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 285, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 285 of the Complaint, and therefore, denies all such allegations.

286. Shaw denies any of the actions alleged in the Complaint constitute copyright infringement. Shaw admits that it has previously paid WPL for use of WPS. Shaw is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 286 of the Complaint, and therefore, denies all such allegations.

287. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 287, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 287 of the Complaint, and therefore, denies all such allegations.

288. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 288, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 288 of the Complaint, and therefore, denies all such allegations.

289. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 289, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 289 of the Complaint, and therefore, denies all such allegations.

290. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 290, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 290 of the Complaint, and therefore, denies all such allegations.

291. As to Shaw, denied. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 291 of the Complaint, and therefore, denies all such allegations.

292. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 292, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 292 of the Complaint, and therefore, denies all such allegations.

293. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 293, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 293 of the Complaint, and therefore, denies all such allegations.

FIFTH CAUSE OF ACTION
INFRINGEMENT OF U.S. PATENT NO. 7,170,519

294. Shaw repeats and incorporates herein by reference each of its responses to the allegations set forth in Paragraphs 1-293 of the Complaint.

295. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 295, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 295 of the Complaint, and therefore, denies all such allegations.

296. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 296, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 296 of the Complaint, and therefore, denies all such allegations.

297. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 297, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 297 of the Complaint, and therefore, denies all such allegations.

298. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 298, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 298 of the Complaint, and therefore, denies all such allegations.

299. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 299, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 299 of the Complaint, and therefore, denies all such allegations.

300. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 300, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 300 of the Complaint, and therefore, denies all such allegations.

SIXTH CAUSE OF ACTION
INFRINGEMENT OF U.S. PATENT NO. 7,477,686

301. Shaw repeats and incorporates herein by reference each of its responses to the allegations set forth in Paragraphs 1-300 of the Complaint.

302. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 302, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 302 of the Complaint, and therefore, denies all such allegations.

303. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 303, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 303 of the Complaint, and therefore, denies all such allegations.

304. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 304, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 304 of the Complaint, and therefore, denies all such allegations.

305. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 305, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 305 of the Complaint, and therefore, denies all such allegations.

306. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 306, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 306 of the Complaint, and therefore, denies all such allegations.

**SEVENTH CAUSE OF ACTION
INFRINGEMENT OF U.S. PATENT NO. 8,498,996**

307. Shaw repeats and incorporates herein by reference each of its responses to the allegations set forth in Paragraphs 1-306 of the Complaint.

308. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 308, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 308 of the Complaint, and therefore, denies all such allegations.

309. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 309, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 309 of the Complaint, and therefore, denies all such allegations.

310. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 310, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 310 of the Complaint, and therefore, denies all such allegations.

311. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 311, which are not asserted against Shaw. Otherwise,

Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 311 of the Complaint, and therefore, denies all such allegations.

312. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 312, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 312 of the Complaint, and therefore, denies all such allegations.

313. Rule 8(b) of the Federal Rules of Civil Procedure does not require Shaw to respond to the allegations in Paragraph 313, which are not asserted against Shaw. Otherwise, Shaw is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 313 of the Complaint, and therefore, denies all such allegations.

GENERAL DENIAL

Except as specifically admitted, Shaw denies each and every allegation contained in SAS's Complaint. Shaw denies that SAS is entitled to any relief requested for the claims and allegations stated in the Complaint.

AFFIRMATIVE DEFENSES

Pursuant to Federal Rules of Civil Procedure 8(c), and without conceding that any of the following necessarily must be pled as an affirmative defense or that Shaw necessarily bears the burden of persuasion for any of the following, Shaw asserts the following defenses to SAS's Complaint. Shaw reserves the right to amend its Answer to add additional defenses consistent with the facts discovered over the course of this litigation.

FIRST AFFIRMATIVE DEFENSE (FAILURE TO STATE A CLAIM FOR RELIEF)

SAS's claims are barred, in whole or in part, due to SAS's failure to state a claim upon which relief may be granted under Rule 12(b)(6) of the Federal Rules of Civil Procedure.

SECOND AFFIRMATIVE DEFENSE
(NO COPYRIGHTABILITY)

SAS's asserted copyrighted works (or the aspects of those works that SAS contends have been infringed by Shaw) are not sufficiently original or creative to constitute a valid, enforceable copyrightable work. SAS's asserted copyrighted works (or the aspects of those works that SAS contends have been infringed by Shaw) are useful articles, which are not copyrightable.

THIRD AFFIRMATIVE DEFENSE
(NO INFRINGEMENT)

Shaw does not infringe and has not infringed any of SAS's proper, valid copyrights under any theory, whether directly, indirectly, willfully, or vicariously.

FOURTH AFFIRMATIVE DEFENSE
(NO INFRINGEMENT BY WPL)

WPL does not infringe and has not infringed any of SAS's proper, valid copyrights under any theory, whether directly, indirectly, willfully, or vicariously, and therefore Shaw has not infringed.

FIFTH AFFIRMATIVE DEFENSE
(STATUTE OF LIMITATIONS)

Shaw's purported infringements alleged by SAS are barred by the statutes of limitations set forth in Section 507 of the Copyright Act, 17 U.S.C. § 507.

SIXTH AFFIRMATIVE DEFENSE
(MISUSE OF COPYRIGHT)

SAS's claims are barred by the doctrine of misuse of copyright.

SEVENTH AFFIRMATIVE DEFENSE
(FAIR USE)

SAS's claims are barred by the doctrine of fair use.

EIGHTH AFFIRMATIVE DEFENSE
(LACHES)

SAS's claims are barred by the doctrine of laches.

**NINTH AFFIRMATIVE DEFENSE
(MERGER DOCTRINE)**

SAS's claims are barred by the merger doctrine.

**TENTH AFFIRMATIVE DEFENSE
(SCENES À FAIRE)**

SAS's claims are barred by the scenes à faire doctrine.

**ELEVENTH AFFIRMATIVE DEFENSE
(DE MINIMIS DOCTRINE)**

SAS's claims are barred by the *de minimis* doctrine.

**TWELFTH AFFIRMATIVE DEFENSE
(INVALID OR UNENFORCEABLE COPYRIGHT REGISTRATIONS)**

SAS's claims are barred from this Court because the asserted copyright registrations, to the extent they can be identified by SAS's allegations, are invalid for failure to comply with the requirements of 17 U.S.C. § 411 and/or because they purport to cover material that is not copyrightable.

**THIRTEENTH AFFIRMATIVE DEFENSE
(UNREGISTERED COPYRIGHTS)**

SAS Institute has no right to assert infringement of any unregistered copyrights.

**FOURTEENTH AFFIRMATIVE DEFENSE
(IMPLIED LICENSE)**

SAS's claims are barred by the doctrine of implied license.

**FIFTEENTH AFFIRMATIVE DEFENSE
(EQUITABLE DEFENSES)**

SAS's claims are barred by virtue of the doctrines of estoppel, comity for foreign judgments, double recovery, satisfaction, waiver, acquiescence, and/or additional equitable doctrines.

**SIXTEENTH AFFIRMATIVE DEFENSE
(NO INJUNCTIVE RELIEF)**

SAS is not entitled to injunctive relief because any injury to SAS is neither immediate nor irreparable, and Plaintiff has adequate remedies at law. SAS's business model is based on repetitive licensing of its alleged copyrighted works and thus it cannot prove irreparable harm.

**SEVENTEENTH AFFIRMATIVE DEFENSE
(NO WILLFUL CONDUCT)**

Should Shaw be found to have infringed any valid copyrighted work owned by SAS, such conduct was not willful, including was not willful under 17 U.S.C. § 504(c)(2).

**EIGHTEENTH AFFIRMATIVE DEFENSE
(UNCONSTITUTIONALLY EXCESSIVE DAMAGES)**

Plaintiff's claims are barred because the statutory damages sought are unconstitutionally excessive and disproportionate to any actual damages that may have been sustained in violation of the Due Process Clause.

**NINETEENTH AFFIRMATIVE DEFENSE
(NO DAMAGES)**

Because Shaw has made no sales of World Programming products and has received no revenue therefrom, SAS Institute has not sustained any injury or damage by reason of any act by Shaw alleged in the complaint.

**TWENTIETH AFFIRMATIVE DEFENSE
(NO STATUTORY DAMAGES)**

SAS Institute cannot recover statutory damages for copyright infringement alongside actual damages and profits under 17 U.S.C. § 504(c)(1).

**TWENTY-FIRST AFFIRMATIVE DEFENSE
(NO ATTORNEY'S FEES)**

SAS Institute cannot recover attorney's fees on its copyright claims from Shaw under 17 U.S.C. § 505.

JURY DEMAND

Shaw demands a jury trial on all issues so triable.

Dated: May 2, 2019

Respectfully submitted,

/s/ Thad C. Kodish

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***ATTORNEY FOR DEFENDANT
SHAW INDUSTRIES GROUP, INC.***

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 2nd day of May, 2019, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Thad C. Kodish

Thad C. Kodish